

09/24/03

17589 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

PHOTP003

22388 U.S. PTO

10/669887

09/24/03

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, Xuefeng Cheng, entitled ABSOLUTE OXYGEN SATURATION FOR MONITORING TISSUE VIABILITY, for a(n):

(X) Original Patent Application.

() Continuing Application (prior application not abandoned):

() Continuation () Divisional () Continuation-in-part (CIP)
of prior Application No. _____, filed _____.

(X) Please insert (or replace the previous claim of priority) after the title of the application

"This is a continuation-in-part of U.S. Application No. 10.427,686, filed May 1, 2003, which is a continuation of U.S. Application No. 09/664,972, filed September 18, 2000, now U.S. Patent No. 6,597,931, which are both hereby incorporated by reference for all purposes. This application claims priority to provisional U.S. Application No. 60/414,005, filed September 25, 2002, which is hereby incorporated by reference for all purposes."

(X) This application claims the benefit of U.S. Provisional Application
No. 60/414,005, filed September 25, 2002.

Enclosed are:

- (X) Specification; 36 Total Pages. (X) Drawing(s); 10 Total Sheets.
() Oath or Declaration:
() A Newly Executed Combined Declaration and Power of Attorney:
() Signed. () Unsigned. () Partially Signed.
() A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
() Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
() Power of Attorney. (X) Return Receipt Postcard.
() Associate Power of Attorney. () A Check in the amount of \$ _____ for the Filing Fee.
() Preliminary Amendment. () Information Disclosure Statement and Form PTO-1449.
() A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
() A Certified Copy of Priority Documents (if foreign priority is claimed).
() Statement(s) of Status as a Small Entity.
() Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.
(X) Other: Application Data Sheet

PLEASE DO NOT CHARGE THE FILING FEE AT THIS TIME.

Respectfully submitted,

By: 

Michael J. Ritter, Reg. No. 36,653

Date: September 24, 2003

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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

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